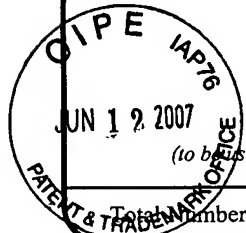


6-14-07

Substitute for PTO/SB/21 (04-07) "Transmittal Form"  
U. S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

DOF



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/502,380
Filing Date	January 28, 2005
First Named Inventor	Carl Berthelette
Art Unit	1626
Examiner Name	K. A. Saeed
Attorney Docket Number	MC005P

JF

## ENCLOSURES (Check all that apply)

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): |
|---|--|---|

### Remarks

Misc. Fee Transmittal  
Petition for Patent Term Adjustment  
Statement of Facts and Evidence  
Exhibits A-J

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Name	Richard C. Billups	Registration No. (Attorney/Agent)	31,916	
Signature			Date	6/12/2007

### EXPRESS MAIL CERTIFICATE

DATE OF DEPOSIT June 12, 2007  
 EXPRESS MAIL NO. EV835854745US  
 I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
 BEING DEPOSITED WITH THE UNITED STATES POSTAL  
 SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"  
 ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
 COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
 ALEXANDRIA, VIRGINIA 22313-1450  
 MAILED BY Kathy K. Litkowski  
 DATE 6/12/07

<b>MISC. FEE TRANSMITTAL</b> Patent fees are subject to annual revision.		Complete if Known	
		Application Number	10/502,380
TOTAL AMOUNT OF PAYMENT \$600		Filing Date	January 28, 2005
		First Named Inventor	Carl Berthelette
		Examiner Name	K. A. Saeed
		Group Art Unit	1626
		Attorney Docket Number	MC055P



METHOD OF PAYMENT	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number <u>13-2755</u> Deposit Account Name <u>Merck &amp; Co., Inc.</u>	
The Director is authorized to:	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	
<input checked="" type="checkbox"/> Credit any overpayments	
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	

FEE CALCULATION			
FEES	Fee Code	Fee (\$)	Fee Description
Large Entity			
	1051	130	Surcharge - late filing fee or oath
	1051	130	Non-English Specification
	1812	2,520	For filing a request for <i>ex parte</i> reexamination
	1402	500	Filing a brief in support of an appeal
	1452	500	Petition to revive - unavoidable
	1453	1,500	Petition to revive - unintentional
	1807	50	Processing fee under 37 CFR 1.17(q)
	1806	180	Submission of Information Disclosure Statement
	1809	790	Filing a submission after final rejection (37 CFR 1.129(a))
	1810	790	For each additional invention to be examined (37 CFR 1.129(b))
	1840	130	Statutory Terminal Disclaimer under 37 CFR 1.321
<b>EXPRESS MAIL CERTIFICATE</b> DATE OF DEPOSIT <u>June 12, 2007</u> Other fee (specify) <u>Filing an application for Patent Term Adjustment</u> EXPRESS MAIL NO. <u>EV835857745US</u> I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE" ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450. MAILED BY <u>Kathy K. H. H. H.</u> TOTAL \$600 DATE <u>6-12-07</u>			

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Richard C. Billups	Reg. Number	31,916
Signature		Deposit Account User ID	
Date	06/12/2007		



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Carl Berthelette, et al.		
Serial No.:	10/502,380	Case No.:	MC055P
Filed:	January 28, 2005		Art Unit: 1626
For:	FLUORO SUBSTITUTED CYCLOALKANOINDOLES, COMPOSITIONS CONTAINING SUCH COMPOUNDS AND METHODS OF TREATMENT		Examiner: K. A. Saeed

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION PURSUANT TO 37 C.F.R. §1.181 and**  
**APPLICATION FOR PATENT TERM ADJUSTMENT**  
**PURSUANT TO 37 C.F.R. § 1.705(b)**

Sir:

This Petition and Application for Patent Term Adjustment are filed pursuant to 37 C.F.R. § 1.702(a) through (e), and includes a request for a waiver of Rule 704(b) under 37 C.F.R. § 1.705(b). Applicants request reinstatement of all or part of the term that was reduced pursuant to 1.704(b), namely twenty-six days. This petition and application and the Statement of Facts and Supporting Evidence are filed prior to payment of the issue fee, which is due on July 5, 2007. No terminal disclaimer has been filed or is required. Also submitted with this application is a fee transmittal form for charging our deposit account with the fees set forth in 37 C.F.R. §§ 1.18(e) and (f), as well as any other fees due in connection with this Petition and Application.

There were no circumstances that constituted a failure to engage in reasonable efforts to conclude processing or examination of the captioned patent application. Hence, Applicants urge that twenty-six days should not be deducted in the PTA calculation.

**EXPRESS MAIL CERTIFICATE**  
**DATE OF DEPOSIT** June 12, 2007  
**EXPRESS MAIL NO.** 0EVB35857745US  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"  
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VIRGINIA 22313-1450  
**MAILED BY** Kathy Kuttarash  
**DATE** 6-12-07

10502380

06/15/2007 WABDEL3 00000012 132755

400.00 DA

02 FC:1456

Since this application requests reinstatement of all or part of the period of adjustment that was reduced pursuant to 1.704(b) for failing to reply to a rejection within three months of the date of mailing of an Official Action, it is also accompanied by a Statement of Facts and evidence that constitutes a showing that in spite of all due care, the Applicants were unable to reply to the rejection within three months of the mailing date of the Office Action, and that the delay that occurred was in spite of Applicants' exercise of all due care.

### **REQUEST FOR WAIVER**

Applicants hereby request a waiver of Rule 704(b), which sets forth the standard for engaging in reasonable efforts to conclude processing or examination of an application for a cumulative total of any period in excess of three months that are taken to reply to any notice or action by the Patent Office. The period at issue is twenty six days. Applicants urge that this limitation should not apply in view of the circumstances described herein, the arguments provided and the results that were obtained, i.e., allowance of the application.

### **SHOWING AND ARGUMENTS IN SUPPORT OF REQUEST**

The requirement that Applicants provide a showing that in spite of all due care, the Applicant was unable to reply within three months of the mailing date of an Official Action is met by submitting Exhibits A through I. Exhibits A, B and C chronicle the efforts Applicants made to reach the Examiner during the statutory period and shortly thereafter. The Examiner was unavailable. Exhibits D through G describe a storm that occurred at the time that an interview was scheduled. Exhibits H and I show the first set of travel arrangements that were cancelled because it became impossible to travel, and the subsequent arrangement to travel to the Washington, D.C. area and meet with the newly assigned Examiner.

The rules pertaining to Patent Term Adjustment specifically address "a failure on the part of the applicant to engage in reasonable efforts to conclude processing or examination of an application" (37 CFR 1.704(c)(10)). Here, there was no manifest failure on the part of the Applicants to engage in reasonable efforts to conclude processing or examination of the application. Applicants' attorneys began working on a draft Amendment shortly after receiving the Official Action dated November 3, 2006. It became clear during the preparation of an Amendment that a response to the Official Action without communicating with the Examiner would be inappropriate. Questions were not likely to be

answered by simply filing an amendment and receiving a written reply, most likely in the form of a final rejection. One particularly difficult question that was raised in the Official Action involved provisional same invention and obviousness-type double patenting rejections over a copending patent application, USSN 11/266,919. Applicants note that it was unclear from the Official Action dated November 3, 2006 whether cancellation of the generic claims would render the obviousness-type double patenting rejection moot. In view of these two double patenting rejections against both genus and species claims in the pending application, Applicants believed that an interview with the Examiner was absolutely necessary to develop and clarify the specific issues, leading to a mutual understanding between the Examiner and Applicants and advancing the prosecution of the case. Simply responding to the action without a discussion with the Examiner would in all probability have led to a final rejection. Given the complexity of the issues, there was a need for an oral give and take to fully appreciate the arguments.

There were numerous attempts within the statutory response period to discuss with the Examiner the best course of action to conclude prosecution on this application, and it was a sequence of events that were completely outside of the Applicants' control, including a severe injury on the part of the Examiner assigned to the conduct examination of the application, Examiner Golam Shameem, resulting in an extended absence from the office, that caused this delay. A severe injury of this nature constitutes an "act of God". This, taken in conjunction with a storm in the Washington, D.C. area on February 13th and 14th, 2007, accounted for the entire delay and were not within the Applicants' control.

The regulations, specifically 37 C.F.R. § 1.705(c), specify that the showing must be such that, to the satisfaction of the Director, in spite of all due care, the Applicant was unable to effectively reply to the rejection . . . within three months of the date of mailing of the Office communication. Further, a reply outside of the three month shortened statutory period is deemed *per se* to be a failure to engage in reasonable efforts to conclude prosecution under 35 U.S.C. § 154(b)(2)(C)(ii) unless the Applicant can establish that the delay was "in spite of all due care". The standard that has been applied is somewhat more rigorous than the due care standard that is applied in deciding petitions for revival of patent applications based upon an allegation of unavoidable delay. Unavoidable, as this term has been applied in these decisions, is used to refer to ordinary human affairs. Yet, the Patent Office applies an even higher standard in cases such as the present request, based upon the phrases "all due care" and "unable to respond", that are contained in 35 U.S.C. § 133.

MPEP § 2734 describes circumstances under which an Applicant is "unable to respond", providing illustrative scenarios in which it is essentially impossible to respond because of some event or occurrence that is outside of the Applicants' control. This nonetheless allows for some discretion in determining what constitutes an "inability to respond" that considers reasonable, diligent and thorough efforts, the level of control that is available (or unavailable) to the Applicant, and the ordinary and desired outcome. In the present case, Applicants were not able to effectively respond so as to achieve the most desirable result, i.e., the issuance of a Notice of Allowance, without conducting the interview with the Examiner, ultimately held on February 21, 2007. As such, the "unable to respond" standard has been met. Events occurring within the Patent Office and in the Washington D.C. area rendered Applicants unable to effectively respond during the three month period.

It is equally clear that the "all due care" standard has been met by Applicants, going beyond the "due care" standard that has been applied elsewhere. While reinstatement can be limited to the period in which the showing establishes that the Applicant was acting with all due care in replying to the Official Action, it is urged that Applicants showing of "all due care" covers the entire twenty-six day period. Applicants exhausted their options in attempting to reach the Examiner, telephoning the Office repeatedly during the three month period for response. This is clearly shown in Exhibits A, B and C. These efforts went beyond the "due care standard". The Examiner's injury and extended absence from the Office caused the Applicants' delay, from February 6, 2007, which was the three month response deadline, until February 14, 2007, which was the date that the interview was initially scheduled with the newly assigned Examiner.

Examiner Shameem's injury and subsequent resulting unavailability were completely out of control of the Applicants. The fact that the Patent Office did not assign the application to a new Examiner essentially until the end of the statutory period for response was likewise completely out of the control of the Applicants. Therefore, it was not possible to respond appropriately without conducting an interview.

These circumstances rendered Applicants unable to reply the Official Action dated November 3, 2006 in the most appropriate manner in spite of taking all due care, up until February 14, 2007, the date upon which the interview was initially scheduled.

On February 13<sup>th</sup> and 14<sup>th</sup>, 2007, a snow and ice storm paralyzed the Washington D.C. area. This is evidenced by Exhibits D through G. Exhibit D indicates that the Patent Office closed early at 2pm that day due to the ice storm, and opened on a Delayed Opening Schedule at 10am on February

14<sup>th</sup>. Exhibit E is an Archived Weather Report for the Washington D. C. area. Exhibit E indicates that there was snow on February 13, 2007 in the Washington, D.C. area, measured at 0.4 inches, with the weather conditions listed as light rain, light freezing rain, light snow, sleet and fog. On February 14, 2007, conditions significantly deteriorated. The report indicates an increase in rain to 0.89 inches, 1.8 inches of snowfall, winds averaging 18.7 miles per hour, with gusts to 45 miles per hour. The weather conditions were essentially unchanged. The Daily Summary for the History for Washington, D.C. dated Tuesday February 13, 2007 and February 14, 2007 are consistent.

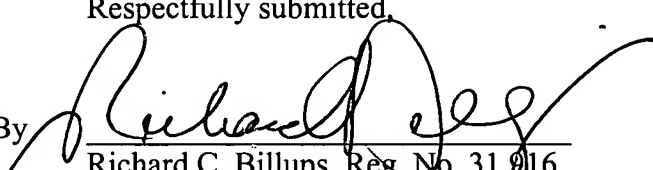
This storm caused a further delay in the prosecution of the application, forcing a postponement of the interview that was scheduled for February 14, 2007. Applicants rescheduled the interview, and conducted the interview on February 21, 2007. (See Exhibit H for cancelled travel arrangements and Exhibit I for rescheduled travel arrangements). During the interview, the Examiner agreed to consider whether cancellation of the genus claims would render the obviousness type double patenting rejection moot, and agreed that cancellation of the genus claims would simplify the issues considerably. (See Exhibit J). On that basis, an amendment was submitted on March 1, 2007. This amendment placed the application in allowable condition, as per the notice of allowance dated April 4, 2007.

To prepare and file a proper response to the pending action that simplified or eliminated the issues before the Examiner, and to advance the application to allowable condition, an interview with the Examiner was necessary. As such, it is urged that deducting twenty-six days of term from the patent term adjustment should be deemed inappropriate, and the twenty-six day period should be reinstated.

Based upon the foregoing, applicants respectfully request reinstatement of twenty-six days of patent term adjustment. If there are any questions, please telephone the undersigned.

Respectfully submitted,

By

  
Richard C. Billups, Reg. No. 31,916  
Attorney for Applicants

MERCK & CO., Inc.  
P.O. Box 2000 – RY 60-30  
Rahway, New Jersey 07065  
Tel.: (732) 594-4683

Date: June 12, 2007



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Carl Berthelette et al.		
Serial No.:	10/502,380	Case No.:	MC055P
Filed:	January 28, 2005		Art Unit: 1626
For:	FLUORO SUBSTITUTED CYCLOALKANOINDOLES, COMPOSITIONS CONTAINING SUCH COMPOUNDS AND METHODS OF TREATMENT		Examiner: K. A. Saeed

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF FACTS AND EVIDENCE IN SUPPORT OF AN APPLICATION FOR  
PATENT TERM ADJUSTMENT PURSUANT TO 37 C.F.R. § 1.705(b)**

Sir:

This Statement of Facts is filed in support of an Application for Patent Term Adjustment pursuant to 37 C.F.R. § 1.705(b). This Statement is accompanied by a fee transmittal form authorizing the fees to be charged to our deposit account.

I. Correct Patent Term Adjustment and Bases Under 37 C.F.R. § 1.702

The correct patent term adjustment is 99 days. The adjustment should not include a deduction of 26 days, based upon the statements contained herein and the evidence submitted herewith.

II. Relevant dates as specified in 37 CFR § 1.703(a) through (e) and calculation of patent term adjustment period:

(a)(1) Date upon which the 35 U.S.C. 371(c) requirements were met: **January 28, 2005**  
Date upon which an action was mailed: **July 5, 2006**

The remaining sections of 37 CFR § 1.703 are not relevant to the present calculation and request.

06/15/2007 WABDEL3 00000012 132755 10502380  
01 FC:1455 200.00 DA

**EXPRESS MAIL CERTIFICATE**  
DATE OF DEPOSIT July 12, 2007  
EXPRESS MAIL NO. EV83585774US  
I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS  
BEING DEPOSITED WITH THE UNITED STATES POSTAL  
SERVICE AS EXPRESS MAIL "POST OFFICE TO ADDRESSEE"  
ON THE ABOVE DATE IN AN ENVELOPE ADDRESSED TO  
COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VIRGINIA 22313-1450.  
MAILED BY Kathy K. Hutto  
DATE 6-12-07



III. Relevant dates as specified in 37 CFR § 1.704 (b) through (e):

- (b) The date that was three months after the rendering by the Patent Office of an Official Action making a rejection, objection, argument or other request: **February 6, 2007**  
Date upon which a reply was filed: **March 1, 2007**
- (c) Circumstances that constitute a failure to engage in reasonable efforts under subsections (1) through (9): None.

The remaining subsections of 37 CFR § 1.704 are not relevant to the present calculation and request.

IV. Additional Facts

During January and February 2007, Applicants' attorney tried repeatedly to reach the Examiner, Dr. Golam Shameem, and his supervisor Mr. Joseph McKane, without success. This is evidenced by the telephone records submitted herewith (Exhibits A-C). These efforts culminated in Mr. McKane advising that Dr. Shameem was away from the office for an extended period of time on disability. As such, a significant time passed during the three-month response period during which the Examiner was unavailable to consult regarding the pending application.

Mr. McKane ultimately assigned the application to Examiner Kamal Saeed. Upon reaching Examiner Saeed, he graciously agreed that an interview would be appropriate. An interview was scheduled with Examiner Saeed for Wednesday, February 14, 2007. While this is past the three-month response date, this interview became critical to discuss the application, effectively reply to the rejection and expedite the application to allowance in view of the change in Examiner responsibility. The earliest opportunity to interview was after the case was assigned to Examiner Saeed.

On February 13, 2007, a snow and ice storm hit the region, lasting through February 14, 2007. This caused an early closing of the Patent Office on February 13, 2007. The storm blanketed the region with approximately 2 inches of snow and a heavy coating of ice (Exhibits D-G). Based upon the severity of the storm, travel arrangements for February 13 and 14 (Exhibit H) were cancelled, and the interview with the Examiner was rescheduled for the next week.

Travel was rescheduled for February 20 and 21 (Exhibit I). The interview was conducted on February 21, 2007 and an agreement was reached (Exhibit J). The Examiner agreed that an amendment should be submitted with several claims that were proposed at the interview. This

amendment was submitted by facsimile less than one week later, resulting in a Notice of Allowance on April 4, 2007.

Exhibits A, B and C disclose the telephone records of the undersigned showing calls to the Examiner who was injured and away from the office (Examiner's Shameem's telephone number is (571) 272-0706), the Examiner's supervisor, Mr. Joseph McKane, whose telephone number is (571) 272-0699), and Examiner Saeed who was assigned the application and who conducted the interview, (Examiner Saeed's telephone number is (571) 272-0705).

Exhibit D entitled Federal Government Archived Operating Status in the Washington, D.C. area indicates that the Federal government closed at 2:00 PM due to pending inclement weather on February 13, 2007, and that on February 14, 2007, it opened under a DELAYED ARRIVAL/UNSCHEDULED LEAVE POLICY, delaying the opening of Federal government offices by two hours.

Exhibit E entitled Archived Weather Reports for Tuesday, February 13<sup>th</sup> shows 0.40 inches of snow and 0.17 inches of rain and for Wednesday, February 14<sup>th</sup> shows 1.80 inches of snow and 0.89 inches of rain in the Washington, D.C area.

Exhibit F entitled An archived photograph from Fox News dated February 13, 2007 shows a layer of ice on the trees at dusk in Washington, D.C.

Exhibit G entitled Snow Alert for February 14, 2007 "DDOT and DPW Continue to Plough and Treat Roadways Today and Tonight Across the District".

Exhibit H entitled Travel Arrangements shows the cancelled travel arrangements for February 13 and 14, 2007.

Exhibit I entitled Travel Arrangements shows the rescheduled travel arrangements for February 21, 2007.

Exhibit J is the Interview Summary Record dated February 21, 2007 showing that a personal interview was conducted and that an agreement was reached.

These exhibits are submitted to support Applicants' position that they exercised all due care in effectively responding to the Official Action dated December 6, 2006.

Applicants completed the 371(c) requirements on January 28, 2005. The Patent Office issued a restriction requirement on July 5, 2006, which was correctly calculated to be 99 days beyond the fourteen-month period for issuing an initial action.

The Applicants attempted to discuss the application with the Patent Office a total of eighteen times before the running of the three-month period of response (see telephone records submitted for January 2007, and February through 2/1/07). This constitutes "all due care" during the statutory period, and caused the delay which resulted in an interview being scheduled for February 14, 2007.

The weather records submitted herewith demonstrate that a severe storm occurred on February 13<sup>th</sup> and 14<sup>th</sup>. This caused a further postponement of the interview for one week.

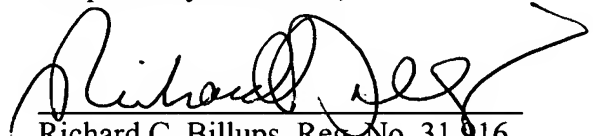
Applicants note that an agreement was reached with the Examiner, as indicated in the Interview Summary Record dated February 21, 2007, despite the numerous issues that were raised in the Official Action dated November 3, 2006, and this culminated in the Patent Office issuing a Notice of Allowance for the application on April 4, 2007. It is therefore urged simply filing a written response without conducting an interview would not have been the proper exercise of due care, which clearly required a discussion regarding the allegations contained in the Office Action and a proposed response.

Conclusion

Applicants urge that the facts described herein fully support a determination that the Patent Office should reinstate twenty-six (26) days of patent term. Twenty-six days of patent term adjustment should not have been deducted from the adjustment calculation. Hence the adjustment should be ninety-nine (99) days. Reinstatement thereof, and an award of 99 days of patent term adjustment, are respectfully requested.

Respectfully submitted,

By



Richard C. Billups, Reg. No. 31,916  
Attorney for Applicants

MERCK & CO., Inc.  
P.O. Box 2000 – RY 60-30  
Rahway, New Jersey 07065  
Tel.: (732) 594-4683

Date: June 12, 2007



## Table of Exhibits

Exhibit A: Telephone Records of Applicants' Attorney showing relevant calls to and from the US Patent Office during January 2007.

Exhibit B: Telephone Records of Applicants' Attorney showing relevant calls to and from the US Patent Office during February 2007.

Exhibit C: Telephone Records of Applicants' Attorney showing relevant calls to and from the US Patent Office during March 2007.

Exhibit D: Federal Government Archived Operating Status in the Washington, DC area posted on February 13, 2007 and February 14, 2007.

Exhibit E: National Weather Service – Climate Data dated February 14, 2007 and 15, 2007 showing data pertinent to February 13, 2007 and 14, 2007, and History for Washington, D.C. dated February 13, 2007 and 14, 2007.

Exhibit F: Photograph of Iced Trees taken in Washington D.C. by FoxNews DC taken in the evening on February 13, 2007.

Exhibit G: District Department of Transportation Snow Alert for Immediate Release dated February 14, 2007 entitled: DDOT and DPW Continue to Plow and Treat Roadways Today and Tonight Across the District.

Exhibit H: Travel Arrangements for travel to Washington, D.C. area dated February 13, 2007 and February 14, 2007.

Exhibit I: Travel Arrangements for travel to Washington, D.C. area dated February 20, 2007 and February 21, 2007.

Exhibit J: Interview Summary Record dated February 21, 2007 for USSN 10/502,380.

# EXHIBIT A

## RCB Telephone Records to PTO Jan 07.txt

PAGE: 5290  
PBXID -STATION-- ---DATE--- --TIME-- DURATION -----DIAL\_DIGIT----- OUT\_GRP ----ANI----- IN\_GRP

594 44683 01/22/2007 16:14:00 1.00 15712720706 150  
594 44683 01/23/2007 13:06:06 0.90 15712720706 150

PAGE: 5291  
PBXID -STATION-- ---DATE--- --TIME-- DURATION -----DIAL\_DIGIT----- OUT\_GRP ----ANI----- IN\_GRP

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594 44683 01/25/2007 12:54:54 1.10 15712720699 150  
594 44683 01/29/2007 14:42:00 2.00 44683 5712720699 167  
594 44683 01/31/2007 12:17:12 0.80 15712720706 150  
594 44683 01/31/2007 12:17:54 1.10 15712720699 150  
  
594 44683 01/31/2007 14:28:00 1.00 15712721600 150  
594 44683 01/31/2007 16:23:00 0.00 15712721600 150  
594 44683 01/31/2007 16:23:42 0.30 15712720706 150  
594 44683 01/31/2007 16:23:42 0.30 15712720699 150

# EXHIBIT B



PBXID	STATION	DATE	TIME	DURATION	DIAL_DIGIT	OUT_GRP	ANI	IN_GRP
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594	44683	02/01/2007	08:25:42	0.30	15712720706	150		
594	44683	02/01/2007	08:26:42	0.30	15712720699	150		
594	46343	02/01/2007	10:05:00	2.00	46343		5712720705	189
594	44863	02/01/2007	10:07:42	1.30	44863		5712720705	186
594	44683	02/01/2007	10:09:12	3.80	44683		5712720705	167
594	44683	02/01/2007	10:38:00	0.00	44683		5712720699	170
594	44683	02/05/2007	14:15:42	1.30	15712720699	150		
594	44568	02/07/2007	09:25:54	1.10	15712720699	150		
594	44683	02/07/2007	09:48:42	0.30	15712720706	150		
594	44683	02/07/2007	09:49:18	4.70	15712720705	150		
594	44568	02/09/2007	08:08:18	0.70	15712720699	150		
594	44568	02/09/2007	08:36:00	1.00	15712720699	150		
594	44568	02/09/2007	12:05:12	1.80	44568		5712720699	189
594	44683	02/12/2007	14:42:30	2.50	15712720705	150		

# EXHIBIT C

RCB Telephone Records to PTO March 07.txt

PBXID	-STATION--	---DATE---	--TIME--	DURATION	-----DIAL_DIGIT-----	OUT_GRP	-----ANI-----	IN_GRP
594	44683	03/16/2007	11:11:36	3.40	15712720705	150		
594	44683	03/19/2007	14:27:48	2.20	44683		5712720705	186
594	44683	03/19/2007	15:27:54	1.10	15712720705	150		
594	44683	03/20/2007	09:58:12	6.80	15712720705	150		
594	44683	03/20/2007	15:32:06	3.90	44683		5712720705	199
594	44683	03/21/2007	08:22:36	5.40	15712720705	150		

# EXHIBIT D

**U.S. Office of Personnel Management****- Ensuring the Federal Government has an effective civilian workforce**

This page can be found on the web at the following url:

<http://www.opm.gov/status/pastStatus.aspx?q=174>

**Federal Government Archived Operating Status in the Washington, DC, Area**

Posted on February 13, 2007 at 1:00 PM

the following message applies only to Tuesday, February 13, 2007

The Federal government in the Washington, D.C. area **will close at 2:00 pm, today, Tuesday, February 13** due to pending inclement weather, except for emergency personnel.

Road conditions are expected to deteriorate later this afternoon and it is essential to get Federal workers home before dark so transportation authorities can treat the roads.

We will continue to monitor weather conditions and announce the status of government for tomorrow as soon as possible.

---

The information above will be updated ***immediately*** upon a determination that operating status is anything other than OPEN. For information on Operating Status by telephone call **(202) 606-1900**. Hearing impaired users may utilize the Federal Relay Service\* by simply dialing 1-800-877-8339 to reach a CA. The CA will dial the requested number and relay the conversation between a standard (voice) telephone user and text telephone (TTY) user. Alternatively, users may point their browser to <http://www.frso.us>. This service is similar to the Federal Relay Service but this service does not require a TTY.

These procedures apply to employees (including employees telecommuting from an alternative worksite) in all executive agencies located inside the Washington Capital Beltway. These procedures do not apply to employees of the U.S. Postal Service, the government of the District of Columbia, or private sector entities, including contractors. Facilities outside the Beltway may prefer to develop their own plans, since they are subject to different weather and traffic conditions than those inside the Beltway. In unusual situations, however, the Office of Personnel Management (OPM) may issue guidelines affecting facilities outside the Beltway, as well. See the [Emergency Closure or Dismissal Procedures](#) for further information on the coverage of these advisories.

**Is this the most current version of this page?** Most web browsers store recently accessed pages on your hard drive so that you can go back to them quickly. Depending upon how you have set the options in your browser, this may mean that you are not seeing the most recent version of the page. To get the current page, use the RELOAD button in Netscape or the REFRESH button in Internet Explorer. AOL users should hold down the CTRL key while selecting the button.

**Holiday closure information** is not published on these operating status pages. Refer to the Federal Holidays link below to find the list of dates agencies are closed because of a national holiday.

\* Federal Relay Service (FRS) (Relay conversation between a standard (voice) telephone user and text telephone (TTY) user.) To learn more about the Federal Relay Service visit <http://www.fts.gsa.gov/frs/howto/howto.htm>

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[Select Website for News on Operating Status in other Geographic Areas](#) | [Archive](#) | [Federal Holidays](#)

This notice is the result of collaboration between the  
U.S. Office of Personnel Management and the Metropolitan Council of Governments.

**U.S. Office of Personnel Management** 1900 E Street NW, Washington, DC 20415 | (202) 606-1800 | TTY (202) 606-2532



**U.S. Office of Personnel Management****- Ensuring the Federal Government has an effective civilian workforce**

This page can be found on the web at the following url:

<http://www.opm.gov/status/pastStatus.aspx?q=177>

**Federal Government Archived Operating Status in the Washington, DC, Area**

Posted on February 14, 2007 at 4:21 AM

the following message applies only to Wednesday, February 14, 2007

"Federal agencies in the Washington, DC, area are OPEN under a DELAYED ARRIVAL/UNSCHEDULED LEAVE policy. Employees should plan to arrive for work no more than 2 hours later than they would normally arrive, and employees who cannot report for work may take unscheduled leave."

***This Means . . .***

- Employees should plan their commutes so that they arrive for work no more than 2 hours later than they would normally arrive. Employees who arrive for work more than 2 hours later than their normal arrival time will be charged annual leave or leave without pay for the additional period of absence from work.
- Employees who cannot report for work may take unscheduled leave for their entire scheduled workday.
- Emergency employees are expected to report for work on time.

---

The information above will be updated ***immediately*** upon a determination that operating status is anything other than OPEN. For information on Operating Status by telephone call **(202) 606-1900**. Hearing impaired users may utilize the Federal Relay Service\* by simply dialing 1-800-877-8339 to reach a CA. The CA will dial the requested number and relay the conversation between a standard (voice) telephone user and text telephone (TTY) user. Alternatively, users may point their browser to <http://www.frso.us>. This service is similar to the Federal Relay Service but this service does not require a TTY.

These procedures apply to employees (including employees telecommuting from an alternative worksite) in all executive agencies located inside the Washington Capital Beltway. These procedures do not apply to employees of the U.S. Postal Service, the government of the District of Columbia, or private sector entities, including contractors. Facilities outside the Beltway may prefer to develop their own plans, since they are subject to different weather and traffic conditions than those inside the Beltway. In unusual situations, however, the Office of Personnel Management (OPM) may issue guidelines affecting facilities outside the Beltway, as well. See the Emergency Closure or Dismissal Procedures for further information on the coverage of these advisories.

**Is this the most current version of this page?** Most web browsers store recently accessed pages on your hard drive so that you can go back to them quickly. Depending upon how you have set the options in your browser, this may mean that you are not seeing the most recent version of the page. To get the current page, use the RELOAD button in Netscape or the REFRESH button in Internet Explorer. AOL users should hold down the CTRL key while selecting the button.

**Holiday closure information** is not published on these operating status pages. Refer to the Federal Holidays link below to find the list of dates agencies are closed because of a national holiday.

\* Federal Relay Service (FRS) (Relay conversation between a standard (voice) telephone user and text telephone (TTY) user.) To learn more about the Federal Relay Service visit <http://www.fts.gsa.gov/frs/howto/howto.htm>

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[Select Website for News on Operating Status in other Geographic Areas](#) | [Archive](#) | [Federal Holidays](#)

This notice is the result of collaboration between the  
U.S. Office of Personnel Management and the Metropolitan Council of Governments.

**U.S. Office of Personnel Management** 1900 E Street NW, Washington, DC 20415 | (202) 606-1800 | TTY (202) 606-2532





# EXHIBIT E

**Please note this information is preliminary and subject to revision. Official and certified climatic data can be accessed at the National Climatic Data Center (NCDC) (<http://www.ncdc.noaa.gov/oa/ncdc.html>).**

000  
CDUS41 KLWX 140548  
CLIDCA

CLIMATE REPORT  
NATIONAL WEATHER SERVICE BALTIMORE MD/WASHINGTON DC  
1248 AM EST WED FEB 14 2007

...THE WASHINGTON NATIONAL CLIMATE SUMMARY FOR FEBRUARY 13 2007...

CLIMATE NORMAL PERIOD 1971 TO 2000  
CLIMATE RECORD PERIOD 1871 TO 2006

WEATHER ITEM	OBSERVED VALUE	TIME (LST)	RECORD VALUE	YEAR	NORMAL VALUE	DEPARTURE FROM NORMAL	LAST YEAR
--------------	-------------------	---------------	-----------------	------	-----------------	-----------------------------	--------------

#### TEMPERATURE (F)

##### YESTERDAY

MAXIMUM	36	442 AM	72	1951	46	-10	38
MINIMUM	25	1117 PM	2	1917	29	-4	24
AVERAGE	31				38	-7	31

#### PRECIPITATION (IN)

YESTERDAY	0.17	1.77	1977	0.09	0.08	0.00
MONTH TO DATE	0.32	1.18	-0.86	2.21		
SINCE DEC 1	4.34	7.44	-3.10	8.80		
SINCE JAN 1	2.78	4.39	-1.61	5.46		

#### SNOWFALL (IN)

YESTERDAY	0.4	0.2	0.2
MONTH TO DATE	1.1	2.6	-1.5
SINCE AUG 1	2.4	11.0	-8.6
SINCE JUL 1	2.4	11.0	-8.6
SNOW DEPTH	T		

#### DEGREE DAYS

##### HEATING

YESTERDAY	34	27	7	34
MONTH TO DATE	492	366	126	332
SINCE DEC 1	1877	2058	-181	1885
SINCE JUL 1	2568	2766	-198	2508

##### COOLING

YESTERDAY	0	0	0	0
MONTH TO DATE	0	0	0	0
SINCE DEC 1	0	0	0	0
SINCE JAN 1	0	0	0	0

.....

## WIND (MPH)

HIGHEST WIND SPEED	21	HIGHEST WIND DIRECTION	NE (60)
HIGHEST GUST SPEED	24	HIGHEST GUST DIRECTION	NE (30)
AVERAGE WIND SPEED	11.8		

## SKY COVER

POSSIBLE SUNSHINE MM  
AVERAGE SKY COVER 1.0

## WEATHER CONDITIONS

THE FOLLOWING WEATHER WAS RECORDED YESTERDAY.

LIGHT RAIN  
LT FREEZING RAIN  
LIGHT SNOW  
SLEET  
FOG

## RELATIVE HUMIDITY (PERCENT)

HIGHEST	100	700 PM
LOWEST	82	1200 AM
AVERAGE	91	

.....

## THE WASHINGTON NATIONAL CLIMATE NORMALS FOR TODAY

	NORMAL	RECORD	YEAR
MAXIMUM TEMPERATURE (F)	46	73	1990
MINIMUM TEMPERATURE (F)	29	4	1905

## SUNRISE AND SUNSET

FEBRUARY 14 2007.....	SUNRISE	701 AM EST	SUNSET	544 PM EST
FEBRUARY 15 2007.....	SUNRISE	700 AM EST	SUNSET	545 PM EST

- INDICATES NEGATIVE NUMBERS.

R INDICATES RECORD WAS SET OR TIED.

MM INDICATES DATA IS MISSING.

T INDICATES TRACE AMOUNT.

---

The U.S. Naval Observatory takes observations and generates sunrise and sunset data. The NWS is not the custodian of records for such records and therefore, cannot certify to such facts, or authenticate such data. For information regarding sunrise and sunset tables and to obtain certified records, contact: U.S.

Naval Observatory, ATTN: Code AA, 3450 Massachusetts Ave., N.W., Washington, D.C. 20392-5420;  
<http://aa.usno.navy.mil/data/>.

**Please note this information is preliminary and subject to revision. Official and certified climatic data can be accessed at the National Climatic Data Center (NCDC) (<http://www.ncdc.noaa.gov/oa/ncdc.html>).**

000  
CDUS41 KLWX 150543  
CLIDCA

CLIMATE REPORT  
NATIONAL WEATHER SERVICE BALTIMORE MD/WASHINGTON DC  
1243 AM EST THU FEB 15 2007

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...THE WASHINGTON NATIONAL CLIMATE SUMMARY FOR FEBRUARY 14 2007...

CLIMATE NORMAL PERIOD 1971 TO 2000  
CLIMATE RECORD PERIOD 1871 TO 2006

WEATHER ITEM	OBSERVED VALUE	TIME (LST)	RECORD VALUE	YEAR	NORMAL VALUE	DEPARTURE FROM NORMAL	LAST YEAR
--------------	-------------------	---------------	-----------------	------	-----------------	-----------------------------	--------------

.....  
TEMPERATURE (F)

YESTERDAY

MAXIMUM	35	1259 PM	73	1990	46	-11	45
MINIMUM	21	1159 PM	4	1905	29	-8	27
AVERAGE	28				38	-10	36

PRECIPITATION (IN)

YESTERDAY	0.89		0.98	1940	0.09	0.80	0.00
MONTH TO DATE	1.21				1.27	-0.06	2.21
SINCE DEC 1	5.23				7.53	-2.30	8.80
SINCE JAN 1	3.67				4.48	-0.81	5.46

SNOWFALL (IN)

YESTERDAY	1.8				0.2	1.6	
MONTH TO DATE	2.9				2.8	0.1	
SINCE AUG 1	4.2				11.2	-7.0	
SINCE JUL 1	4.2				11.2	-7.0	
SNOW DEPTH	2						

DEGREE DAYS

HEATING

YESTERDAY	37				27	10	29
MONTH TO DATE	529				393	136	361
SINCE DEC 1	1914				2085	-171	1914
SINCE JUL 1	2605				2793	-188	2537

COOLING

YESTERDAY	0	0	0	0
MONTH TO DATE	0	0	0	0
SINCE DEC 1	0	0	0	0
SINCE JAN 1	0	0	0	0

.....

## WIND (MPH)

HIGHEST WIND SPEED	32	HIGHEST WIND DIRECTION	NW (320)
HIGHEST GUST SPEED	45	HIGHEST GUST DIRECTION	NW (310)
AVERAGE WIND SPEED	18.7		

## SKY COVER

POSSIBLE SUNSHINE MM  
AVERAGE SKY COVER 0.8

## WEATHER CONDITIONS

THE FOLLOWING WEATHER WAS RECORDED YESTERDAY.

LIGHT RAIN  
LT FREEZING RAIN  
LIGHT SNOW  
SLEET  
FOG

## RELATIVE HUMIDITY (PERCENT)

HIGHEST	92	200 AM
LOWEST	50	600 PM
AVERAGE	71	

.....

## THE WASHINGTON NATIONAL CLIMATE NORMALS FOR TODAY

	NORMAL	RECORD	YEAR
MAXIMUM TEMPERATURE (F)	46	77	1949
MINIMUM TEMPERATURE (F)	30	-6	1899

## SUNRISE AND SUNSET

FEBRUARY 15 2007.....	SUNRISE	700 AM EST	SUNSET	545 PM EST
FEBRUARY 16 2007.....	SUNRISE	658 AM EST	SUNSET	546 PM EST

- INDICATES NEGATIVE NUMBERS.

R INDICATES RECORD WAS SET OR TIED.




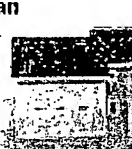
MM INDICATES DATA IS MISSING.

T INDICATES TRACE AMOUNT.

---

The U.S. Naval Observatory takes observations and generates sunrise and sunset data. The NWS is not the custodian of records for such records and therefore, cannot certify to such facts, or authenticate such data. For information regarding sunrise and sunset tables and to obtain certified records, contact: U.S.

Naval Observatory, ATTN: Code AA, 3450 Massachusetts Ave., N.W., Washington, D.C. 20392-5420;  
<http://aa.usno.navy.mil/data/>.

<b>REFINANCE &amp; SAVE!</b> 4 Offers - 60 Secs Bad Credit OK RateMarketplace	 \$125,000 loan for under \$415/mo	 \$150,000 loan for under \$495/mo	 \$175,000 loan for under \$580/mo	 \$200,000 loan for under \$660/mo
	<b>our loan</b>			

## History for Washington, DC

Tuesday, February 13, 2007

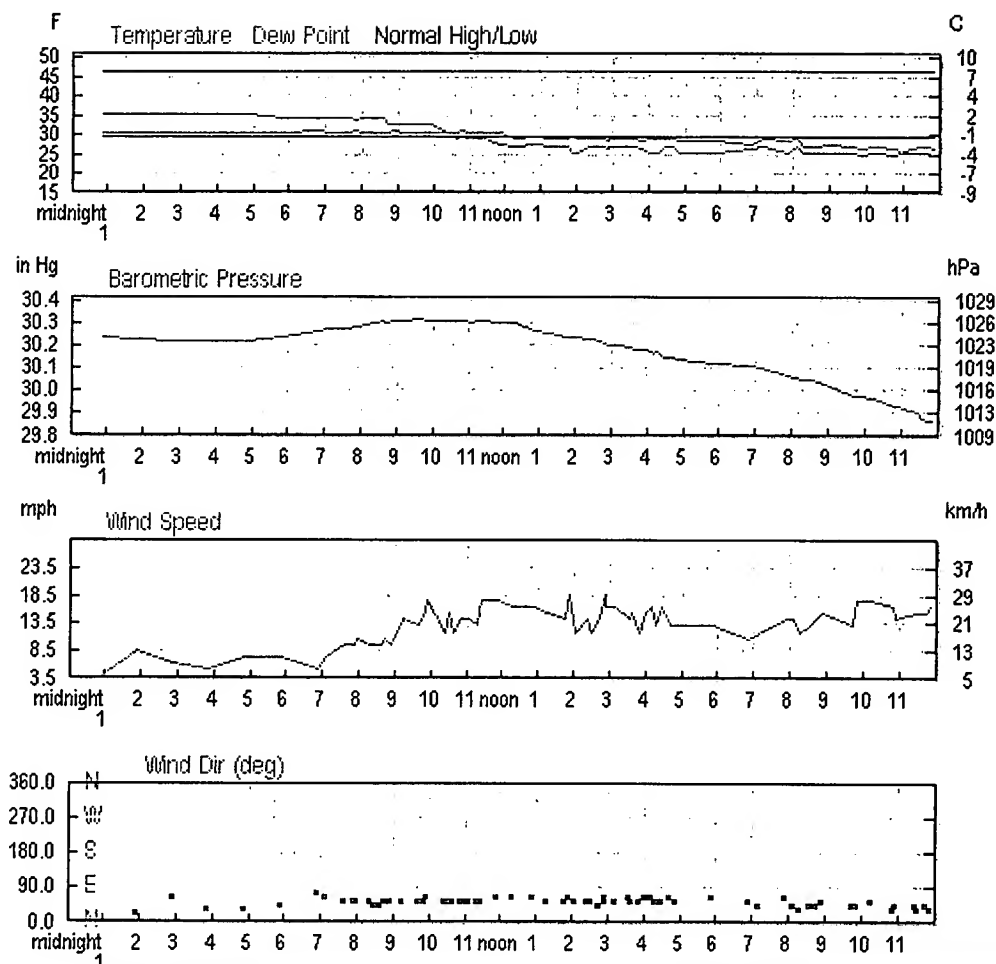
### Daily Summary

	Actual:	Average :	Record :
<b>Temperature:</b>			
Mean Temperature	31 °F / 0 °C	38 °F / 3 °C	
Max Temperature	36 °F / 2 °C	46 °F / 7 °C	72 °F / 22 °C (1951)
Min Temperature	25 °F / -3 °C	29 °F / -1 °C	2 °F / -16 °C (1917)
<b>Degree Days:</b>			
Heating Degree Days	34	27	
Month to date heating degree days	492	366	
Since 1 July heating degree days	2568	2766	
Cooling Degree Days	0	0	
Month to date cooling degree days	0	0	
Year to date cooling degree days	0	0	
<b>Moisture:</b>			
Dew Point	30 °F / -1 °C		
Average Humidity	91		
Maximum Humidity	100		
Minimum Humidity	82		
<b>Precipitation:</b>			
Precipitation	0.17 in / 0.43 cm	0.09 in / 0.23 cm	1.77 in / 4.50 cm (1977)
Month to date precipitation	0.32	1.18	
Year to date precipitation	2.78	4.39	
<b>Snow:</b>			
Snow	0.40 in / 1.02 cm	-	0.20 in / 0.51 cm (0.2)
Month to date snowfall	1.1	2.6	
Since 1 July snowfall	2.4	11.0	
Snow Depth	T in / T cm		
<b>Sea Level Pressure:</b>			
Sea Level Pressure	30.19 in / 1022 hPa		
<b>Wind:</b>			
Wind Speed	12 mph / 19 km/h (NE)		
Max Wind Speed	21 mph / 34 km/h		
Max Gust Speed	24 mph / 39 km/h		
Visibility	4 miles / 6 kilometers		
Events	Rain , Snow		

T = Trace of Precipitation, MM = Missing Value

Source: NWS Daily Summary





### Hourly Observations

Time (EST):	Temp:	Dew Point:	Humidity:	Sea Level Pressure:	Visibility:	Wind Dir:	Wind Speed:	Gust Speed:	Precip:	Events:	Conditions:
12:52 AM	35.1 °F / 1.7 °C	30.0 °F / -1.1 °C	82%	30.23 in / 1023.7 hPa	9.0 miles / 14.5 kilometers	NNE	3.5 mph / 5.6 km/h / 1.5 m/s	-	N/A		Mostly Cloudy
1:52 AM	35.1 °F / 1.7 °C	30.0 °F / -1.1 °C	82%	30.22 in / 1023.1 hPa	10.0 miles / 16.1 kilometers	NNE	8.1 mph / 13.0 km/h / 3.6 m/s	-	N/A		Overcast
2:52 AM	35.1 °F / 1.7 °C	30.0 °F / -1.1 °C	82%	30.21 in / 1022.9 hPa	9.0 miles / 14.5 kilometers	ENE	5.8 mph / 9.3 km/h / 2.6 m/s	-	N/A		Overcast
3:52 AM	35.1 °F / 1.7 °C	30.0 °F / -1.1 °C	82%	30.21 in / 1022.8 hPa	8.0 miles / 12.9 kilometers	NNE	4.6 mph / 7.4 km/h / 2.1 m/s	-	N/A		Overcast
4:52 AM	35.1 °F / 1.7 °C	30.0 °F / -1.1 °C	82%	30.21 in / 1023.0 hPa	8.0 miles / 12.9 kilometers	NNE	6.9 mph / 11.1 km/h / 3.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
5:52 AM	34.0 °F / 1.1 °C	30.0 °F / -1.1 °C	85%	30.23 in / 1023.6 hPa	6.0 miles / 9.7 kilometers	NE	6.9 mph / 11.1 km/h / 3.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
6:52 AM	34.0 °F / 1.1 °C	30.9 °F / -0.6 °C	89%	30.25 in / 1024.4 hPa	4.0 miles / 6.4 kilometers	ENE	4.6 mph / 7.4 km/h / 2.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
7:06 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.26 in / 1024.6 hPa	2.5 miles / 4.0 kilometers	ENE	6.9 mph / 11.1 km/h / 3.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow

7:36 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.26 in / 1024.6 hPa	3.0 miles / 4.8 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
7:52 AM	33.1 °F / 0.6 °C	30.9 °F / -0.6 °C	92%	30.27 in / 1024.8 hPa	3.0 miles / 4.8 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
7:56 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.27 in / 1024.9 hPa	2.5 miles / 4.0 kilometers	NE	10.4 mph / 16.7 km/h / 4.6 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
8:20 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.29 in / 1025.6 hPa	2.0 miles / 3.2 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
8:28 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.29 in / 1025.6 hPa	1.2 miles / 2.0 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
8:35 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	30.30 in / 1026.0 hPa	1.0 miles / 1.6 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
8:42 AM	32.0 °F / 0.0 °C	30.2 °F / -1.0 °C	93%	30.29 in / 1025.6 hPa	0.8 miles / 1.2 kilometers	NE	10.4 mph / 16.7 km/h / 4.6 m/s	-	0.02 in / 0.1 cm	Snow	Light Snow
8:52 AM	32.0 °F / 0.0 °C	30.9 °F / -0.6 °C	96%	30.30 in / 1025.9 hPa	0.8 miles / 1.2 kilometers	NE	9.2 mph / 14.8 km/h / 4.1 m/s	-	0.02 in / 0.1 cm	Snow	Light Snow
9:14 AM	32.0 °F / 0.0 °C	30.2 °F / -1.0 °C	93%	30.30 in / 1026.0 hPa	1.0 miles / 1.6 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
9:40 AM	32.0 °F / 0.0 °C	30.2 °F / -1.0 °C	93%	30.31 in / 1026.3 hPa	0.8 miles / 1.2 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.02 in / 0.1 cm	Snow	Light Snow
9:52 AM	32.0 °F / 0.0 °C	30.0 °F / -1.1 °C	92%	30.30 in / 1026.1 hPa	0.8 miles / 1.2 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.02 in / 0.1 cm	Snow	Light Snow
9:55 AM	32.0 °F / 0.0 °C	30.2 °F / -1.0 °C	93%	30.30 in / 1026.0 hPa	1.0 miles / 1.6 kilometers	ENE	17.3 mph / 27.8 km/h / 7.7 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
10:25 AM	30.2 °F / -1.0 °C	30.2 °F / -1.0 °C	100%	30.30 in / 1026.0 hPa	1.0 miles / 1.6 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
10:32 AM	30.2 °F / -1.0 °C	30.2 °F / -1.0 °C	100%	30.30 in / 1026.0 hPa	0.8 miles / 1.2 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.01 in / 0.0 cm	Snow	Light Snow
10:39 AM	30.2 °F / -1.0 °C	28.4 °F / -2.0 °C	93%	30.30 in / 1026.0 hPa	1.0 miles / 1.6 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.02 in / 0.1 cm	Snow	Light Snow
10:52 AM	30.9 °F / -0.6 °C	28.9 °F / -1.7 °C	92%	30.30 in / 1026.0 hPa	1.2 miles / 2.0 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	19.6 mph / 31.5 km/h / 8.7 m/s	0.02 in / 0.1 cm	Snow	Light Snow
10:59 AM	30.2 °F / -1.0 °C	28.4 °F / -2.0 °C	93%	30.30 in / 1026.0 hPa	2.5 miles / 4.0 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
11:03 AM	30.2 °F / -1.0 °C	28.4 °F / -2.0 °C	93%	30.29 in / 1025.6 hPa	4.0 miles / 6.4 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
11:18 AM	30.2 °F / -1.0 °C	28.4 °F / -2.0 °C	93%	30.30 in / 1026.0 hPa	4.0 miles / 6.4 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
11:23 AM	30.2 °F / -1.0 °C	28.4 °F / -2.0 °C	93%	30.30 in / 1026.0 hPa	4.0 miles / 6.4 kilometers	NE	17.3 mph / 27.8 km/h / 7.7 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.00 in / 0.0 cm	Snow	Light Snow

11:52 AM	30.0 °F /-1.1 °C	27.0 °F /-2.8 °C	88%	30.29 in / 1025.6 hPa	4.0 miles / 6.4 kilometers	ENE	17.3 mph / 27.8 km/h / 7.7 m/s	-	0.00 in / 0.0 cm	Snow	Light Snow
12:19 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.29 in / 1025.6 hPa	2.5 miles / 4.0 kilometers	ENE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.01 in / 0.0 cm	Rain	Light Freezing Rain
12:52 PM	28.9 °F /-1.7 °C	27.0 °F /-2.8 °C	92%	30.25 in / 1024.3 hPa	3.0 miles / 4.8 kilometers	ENE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.02 in / 0.1 cm		Light Freezing Drizzle
1:16 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.24 in / 1023.9 hPa	6.0 miles / 9.7 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.00 in / 0.0 cm		Overcast
1:47 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.23 in / 1023.6 hPa	5.0 miles / 8.0 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm		Light Freezing Drizzle
1:52 PM	28.9 °F /-1.7 °C	25.0 °F /-3.9 °C	85%	30.23 in / 1023.6 hPa	5.0 miles / 8.0 kilometers	ENE	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.00 in / 0.0 cm		Light Freezing Drizzle
2:03 PM	28.4 °F /-2.0 °C	24.8 °F /-4.0 °C	86%	30.23 in / 1023.6 hPa	6.0 miles / 9.7 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.00 in / 0.0 cm		Light Freezing Drizzle
2:22 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.22 in / 1023.2 hPa	5.0 miles / 8.0 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm		Light Ice Pellets
2:30 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.22 in / 1023.2 hPa	2.0 miles / 3.2 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.00 in / 0.0 cm		Light Freezing Drizzle
2:42 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.21 in / 1022.9 hPa	1.8 miles / 2.8 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.01 in / 0.0 cm		Light Freezing Drizzle
2:52 PM	28.0 °F /-2.2 °C	26.1 °F /-3.3 °C	92%	30.19 in / 1022.1 hPa	1.8 miles / 2.8 kilometers	NE	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.01 in / 0.0 cm		Light Freezing Drizzle
2:54 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.19 in / 1022.2 hPa	2.0 miles / 3.2 kilometers	ENE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.00 in / 0.0 cm		Light Freezing Drizzle
3:11 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.19 in / 1022.2 hPa	3.0 miles / 4.8 kilometers	NE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.01 in / 0.0 cm		Light Freezing Drizzle
3:32 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.18 in / 1021.9 hPa	2.0 miles / 3.2 kilometers	ENE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.01 in / 0.0 cm		Light Freezing Drizzle
3:38 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.17 in / 1021.6 hPa	1.8 miles / 2.8 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.02 in / 0.1 cm		Light Freezing Drizzle
3:52 PM	28.0 °F /-2.2 °C	26.1 °F /-3.3 °C	92%	30.17 in / 1021.4 hPa	1.8 miles / 2.8 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.03 in / 0.1 cm		Light Freezing Drizzle
4:00 PM	28.4 °F /-2.0 °C	24.8 °F /-4.0 °C	86%	30.17 in / 1021.6 hPa	2.0 miles / 3.2 kilometers	ENE	15.0 mph / 24.1 km/h / 6.7 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.00 in / 0.0 cm		Light Freezing Drizzle
4:09 PM	28.4 °F /-2.0 °C	24.8 °F /-4.0 °C	86%	30.15 in / 1020.9 hPa	4.0 miles / 6.4 kilometers	ENE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.01 in / 0.0 cm		Light Freezing Drizzle
4:16 PM	28.4 °F /-2.0 °C	24.8 °F /-4.0 °C	86%	30.16 in / 1021.2 hPa	4.0 miles / 6.4 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.01 in / 0.0 cm	Rain	Light Freezing Rain
4:26 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.14 in / 1020.5 hPa	2.5 miles / 4.0 kilometers	NE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.01 in / 0.0 cm	Rain	Light Freezing Rain

4:42 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.14 in / 1020.5 hPa	4.0 miles / 6.4 kilometers	ENE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.02 in / 0.1 cm	Light Freezing Drizzle
4:52 PM	28.0 °F /-2.2 °C	25.0 °F /-3.9 °C	88%	30.13 in / 1020.3 hPa	5.0 miles / 8.0 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.02 in / 0.1 cm	Light Freezing Drizzle
5:52 PM	28.0 °F /-2.2 °C	25.0 °F /-3.9 °C	88%	30.11 in / 1019.5 hPa	6.0 miles / 9.7 kilometers	ENE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
6:52 PM	27.0 °F /-2.8 °C	26.1 °F /-3.3 °C	96%	30.10 in / 1019.1 hPa	3.0 miles / 4.8 kilometers	NE	10.4 mph / 16.7 km/h / 4.6 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
7:09 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.09 in / 1018.8 hPa	3.0 miles / 4.8 kilometers	NE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
7:52 PM	28.0 °F /-2.2 °C	25.0 °F /-3.9 °C	88%	30.06 in / 1018.0 hPa	8.0 miles / 12.9 kilometers	ENE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
8:05 PM	28.4 °F /-2.0 °C	26.6 °F /-3.0 °C	93%	30.05 in / 1017.5 hPa	4.0 miles / 6.4 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.00 in / 0.0 cm	Light Freezing Drizzle
8:17 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	30.04 in / 1017.2 hPa	6.0 miles / 9.7 kilometers	NNE	11.5 mph / 18.5 km/h / 5.1 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
8:32 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	30.04 in / 1017.2 hPa	2.5 miles / 4.0 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
8:43 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	30.03 in / 1016.8 hPa	2.0 miles / 3.2 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
8:52 PM	27.0 °F /-2.8 °C	25.0 °F /-3.9 °C	92%	30.02 in / 1016.6 hPa	4.0 miles / 6.4 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
9:43 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	29.97 in / 1014.8 hPa	3.0 miles / 4.8 kilometers	NE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
9:52 PM	26.1 °F /-3.3 °C	24.1 °F /-4.4 °C	92%	29.97 in / 1014.8 hPa	2.5 miles / 4.0 kilometers	NE	17.3 mph / 27.8 km/h / 7.7 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
10:13 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	29.96 in / 1014.4 hPa	3.0 miles / 4.8 kilometers	NE	17.3 mph / 27.8 km/h / 7.7 m/s	-	0.00 in / 0.0 cm	Light Freezing Drizzle
10:52 PM	26.1 °F /-3.3 °C	24.1 °F /-4.4 °C	92%	29.92 in / 1013.1 hPa	3.0 miles / 4.8 kilometers	NNE	16.1 mph / 25.9 km/h / 7.2 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.01 in / 0.0 cm	Light Freezing Drizzle
10:55 PM	24.8 °F /-4.0 °C	24.8 °F /-4.0 °C	100%	29.92 in / 1013.1 hPa	2.5 miles / 4.0 kilometers	NE	13.8 mph / 22.2 km/h / 6.2 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.00 in / 0.0 cm	Light Freezing Drizzle
11:27 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	29.89 in / 1012.1 hPa	2.5 miles / 4.0 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
11:31 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	29.88 in / 1011.7 hPa	3.0 miles / 4.8 kilometers	NNE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle
11:46 PM	26.6 °F /-3.0 °C	24.8 °F /-4.0 °C	93%	29.86 in / 1011.1 hPa	4.0 miles / 6.4 kilometers	NE	15.0 mph / 24.1 km/h / 6.7 m/s	24.2 mph / 38.9 km/h / 10.8 m/s	0.01 in / 0.0 cm	Light Freezing Drizzle
11:52 PM	26.1 °F /-3.3 °C	24.1 °F /-4.4 °C	92%	29.86 in / 1011.1 hPa	4.0 miles / 6.4 kilometers	NNE	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.01 in / 0.0 cm	Light Freezing Drizzle



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## History for Washington, DC

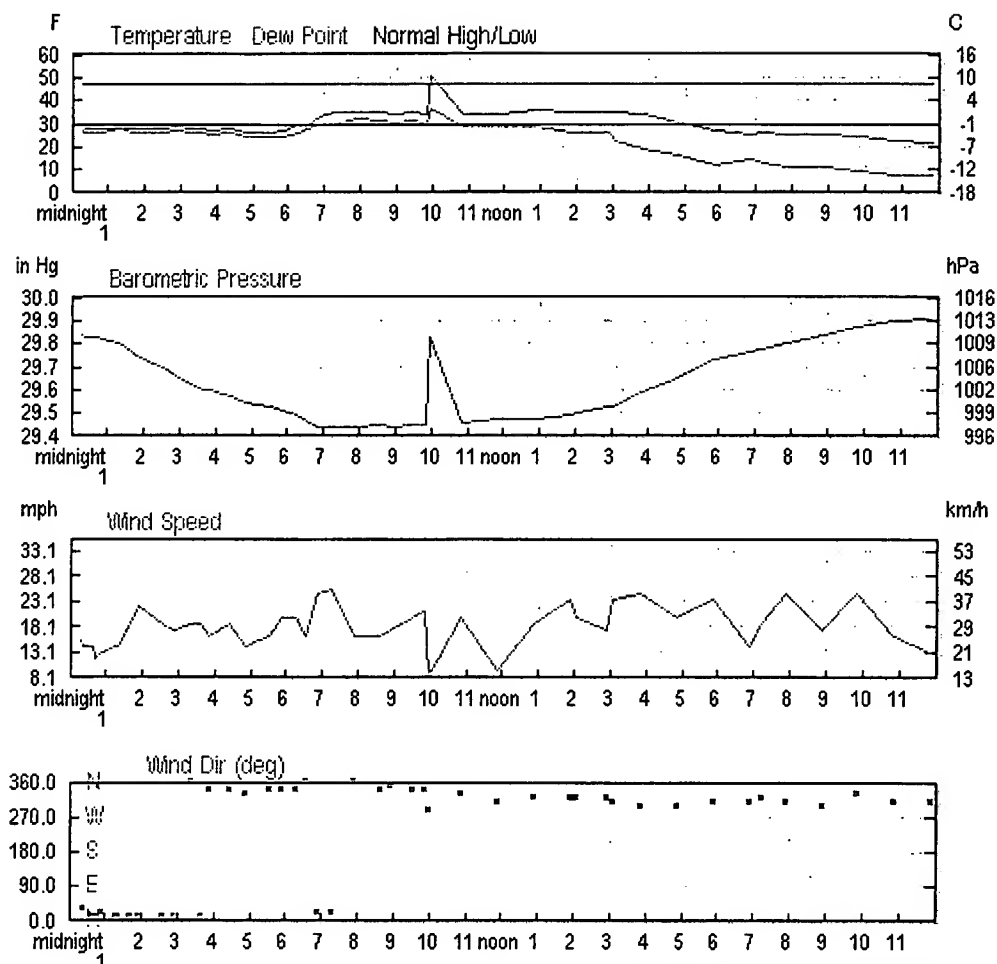
Wednesday, February 14, 2007

### Daily Summary

	Actual:	Average :	Record :
<b>Temperature:</b>			
Mean Temperature	28 °F / -2 °C	38 °F / 3 °C	
Max Temperature	35 °F / 1 °C	46 °F / 7 °C	73 °F / 22 °C (1990)
Min Temperature	21 °F / -6 °C	29 °F / -1 °C	4 °F / -15 °C (1905)
<b>Degree Days:</b>			
Heating Degree Days	37	27	
Month to date heating degree days	529	393	
Since 1 July heating degree days	2605	2793	
Cooling Degree Days	0	0	
Month to date cooling degree days	0	0	
Year to date cooling degree days	0	0	
<b>Moisture:</b>			
Dew Point	25 °F / -3 °C		
Average Humidity	71		
Maximum Humidity	92		
Minimum Humidity	50		
<b>Precipitation:</b>			
Precipitation	0.89 in / 2.26 cm	0.09 in / 0.23 cm	0.98 in / 2.49 cm (1940)
Month to date precipitation	1.21	1.27	
Year to date precipitation	3.67	4.48	
<b>Snow:</b>			
Snow	1.80 in / 4.57 cm	-	0.20 in / 0.51 cm (1.6)
Month to date snowfall	2.9	2.8	
Since 1 July snowfall	4.2	11.2	
Snow Depth	2.00 in / 5.08 cm		
<b>Sea Level Pressure:</b>			
Sea Level Pressure	29.65 in / 1004 hPa		
<b>Wind:</b>			
Wind Speed	19 mph / 30 km/h (NNW)		
Max Wind Speed	32 mph / 52 km/h		
Max Gust Speed	45 mph / 72 km/h		
Visibility	6 miles / 10 kilometers		
Events	Rain , Snow		

T = Trace of Precipitation, MM = Missing Value

Source: NWS Daily Summary



## Hourly Observations

Time (EST):	Temp:	Dew Point:	Humidity:	Sea Level Pressure:	Visibility:	Wind Dir:	Wind Speed:	Gust Speed:	Precip:	Events:	Conditions:
12:17 AM	24.8 °F / -4.0 °C	24.8 °F / -4.0 °C	100%	29.83 in / 1010.0 hPa	3.0 miles / 4.8 kilometers	NNE	15.0 mph / 24.1 km/h / 6.7 m/s	-	0.00 in / 0.0 cm	Rain	Light Freezing Rain
12:22 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.82 in / 1009.7 hPa	3.0 miles / 4.8 kilometers	NNE	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.00 in / 0.0 cm	Rain	Light Freezing Rain
12:40 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.82 in / 1009.7 hPa	2.5 miles / 4.0 kilometers	North	13.8 mph / 22.2 km/h / 6.2 m/s	21.9 mph / 35.2 km/h / 9.8 m/s	0.02 in / 0.1 cm	Rain	Light Freezing Rain
12:43 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.82 in / 1009.7 hPa	2.5 miles / 4.0 kilometers	North	11.5 mph / 18.5 km/h / 5.1 m/s	21.9 mph / 35.2 km/h / 9.8 m/s	0.02 in / 0.1 cm		Ice Pellets
12:52 AM	27.0 °F / -2.8 °C	25.0 °F / -3.9 °C	92%	29.81 in / 1009.5 hPa	3.0 miles / 4.8 kilometers	NNE	12.7 mph / 20.4 km/h / 5.7 m/s	-	0.04 in / 0.1 cm		Ice Pellets
1:17 AM	26.6 °F / -3.0 °C	26.6 °F / -3.0 °C	100%	29.79 in / 1008.7 hPa	2.5 miles / 4.0 kilometers	North	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.05 in / 0.1 cm		Ice Pellets
1:18 AM	26.6 °F / -3.0 °C	26.6 °F / -3.0 °C	100%	29.79 in / 1008.7 hPa	2.5 miles / 4.0 kilometers	North	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.05 in / 0.1 cm		Heavy Ice Pellets
1:39 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.76 in / 1007.7 hPa	1.5 miles / 2.4 kilometers	North	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.09 in / 0.2 cm		Heavy Ice Pellets

1:52 AM	27.0 °F / -2.8 °C	25.0 °F / -3.9 °C	92%	29.73 in / 1006.8 hPa	1.5 miles / 2.4 kilometers	North	21.9 mph / 35.2 km/h / 9.8 m/s	25.3 mph / 40.7 km/h / 11.3 m/s	0.09 in / 0.2 cm	Heavy Ice Pellets
2:33 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.69 in / 1005.3 hPa	3.0 miles / 4.8 kilometers	North	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.06 in / 0.2 cm	Ice Pellets
2:52 AM	28.0 °F / -2.2 °C	26.1 °F / -3.3 °C	92%	29.65 in / 1004.0 hPa	2.0 miles / 3.2 kilometers	North	17.3 mph / 27.8 km/h / 7.7 m/s	25.3 mph / 40.7 km/h / 11.3 m/s	0.11 in / 0.3 cm	Heavy Ice Pellets
3:19 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.62 in / 1002.9 hPa	2.0 miles / 3.2 kilometers	North	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.05 in / 0.1 cm	Heavy Ice Pellets
3:38 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.59 in / 1001.9 hPa	2.0 miles / 3.2 kilometers	North	18.4 mph / 29.6 km/h / 8.2 m/s	24.2 mph / 38.9 km/h / 10.8 m/s	0.11 in / 0.3 cm	Heavy Ice Pellets
3:52 AM	26.1 °F / -3.3 °C	24.1 °F / -4.4 °C	92%	29.59 in / 1002.0 hPa	2.0 miles / 3.2 kilometers	NNW	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.15 in / 0.4 cm	Heavy Ice Pellets
4:23 AM	26.6 °F / -3.0 °C	24.8 °F / -4.0 °C	93%	29.56 in / 1000.9 hPa	2.0 miles / 3.2 kilometers	NNW	18.4 mph / 29.6 km/h / 8.2 m/s	-	0.09 in / 0.2 cm	Heavy Ice Pellets
4:52 AM	25.0 °F / -3.9 °C	23.0 °F / -5.0 °C	92%	29.54 in / 1000.2 hPa	2.0 miles / 3.2 kilometers	NNW	13.8 mph / 22.2 km/h / 6.2 m/s	-	0.18 in / 0.5 cm	Ice Pellets
5:33 AM	24.8 °F / -4.0 °C	23.0 °F / -5.0 °C	93%	29.52 in / 999.5 hPa	2.0 miles / 3.2 kilometers	NNW	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.24 in / 0.6 cm	Heavy Ice Pellets
5:52 AM	26.1 °F / -3.3 °C	23.0 °F / -5.0 °C	88%	29.50 in / 999.0 hPa	2.0 miles / 3.2 kilometers	NNW	19.6 mph / 31.5 km/h / 8.7 m/s	-	0.29 in / 0.7 cm	Heavy Ice Pellets
6:16 AM	28.4 °F / -2.0 °C	24.8 °F / -4.0 °C	86%	29.48 in / 998.2 hPa	2.5 miles / 4.0 kilometers	NNW	19.6 mph / 31.5 km/h / 8.7 m/s	-	0.02 in / 0.1 cm	Overcast
6:32 AM	28.4 °F / -2.0 °C	26.6 °F / -3.0 °C	93%	29.46 in / 997.5 hPa	4.0 miles / 6.4 kilometers	North	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.02 in / 0.1 cm	Light Freezing Drizzle
6:52 AM	32.0 °F / 0.0 °C	28.9 °F / -1.7 °C	88%	29.43 in / 996.5 hPa	7.0 miles / 11.3 kilometers	NNE	24.2 mph / 38.9 km/h / 10.8 m/s	-	0.03 in / 0.1 cm	Light Freezing Drizzle
7:16 AM	33.8 °F / 1.0 °C	28.4 °F / -2.0 °C	81%	29.43 in / 996.5 hPa	8.0 miles / 12.9 kilometers	NNE	25.3 mph / 40.7 km/h / 11.3 m/s	-	0.00 in / 0.0 cm	Light Drizzle
7:52 AM	34.0 °F / 1.1 °C	30.9 °F / -0.6 °C	89%	29.43 in / 996.4 hPa	10.0 miles / 16.1 kilometers	North	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.00 in / 0.0 cm	Overcast
8:37 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	29.44 in / 996.8 hPa	10.0 miles / 16.1 kilometers	NNW	16.1 mph / 25.9 km/h / 7.2 m/s	-	0.00 in / 0.0 cm	Overcast
8:52 AM	33.1 °F / 0.6 °C	30.0 °F / -1.1 °C	89%	29.43 in / 996.6 hPa	10.0 miles / 16.1 kilometers	North	17.3 mph / 27.8 km/h / 7.7 m/s	-	0.00 in / 0.0 cm	Overcast
9:31 AM	33.8 °F / 1.0 °C	30.2 °F / -1.0 °C	87%	29.44 in / 996.8 hPa	10.0 miles / 16.1 kilometers	NNW	19.6 mph / 31.5 km/h / 8.7 m/s	-	N/A	Overcast
9:52 AM	33.1 °F / 0.6 °C	28.9 °F / -1.7 °C	85%	29.44 in / 996.8 hPa	10.0 miles / 16.1 kilometers	NNW	20.7 mph / 33.3 km/h / 9.3 m/s	-	N/A	Overcast
9:56 AM	50.0 °F / 10.0 °C	35.6 °F / 2.0 °C	58%	29.82 in / 1009.7 hPa	10.0 miles / 16.1 kilometers	WNW	8.1 mph / 13.0 km/h / 3.6 m/s	-	N/A	Overcast



10:52 AM	33.1 °F / 0.6 °C	28.0 °F / -2.2 °C	82%	29.45 in / 997.2 hPa	10.0 miles / 16.1 kilometers	NNW	19.6 mph / 31.5 km/h / 8.7 m/s	-	N/A	Overcast
11:52 AM	33.1 °F / 0.6 °C	28.0 °F / -2.2 °C	82%	29.47 in / 997.7 hPa	10.0 miles / 16.1 kilometers	NW	9.2 mph / 14.8 km/h / 4.1 m/s	19.6 mph / 31.5 km/h / 8.7 m/s	N/A	Overcast
12:52 PM	35.1 °F / 1.7 °C	28.0 °F / -2.2 °C	76%	29.47 in / 997.9 hPa	10.0 miles / 16.1 kilometers	NW	18.4 mph / 29.6 km/h / 8.2 m/s	25.3 mph / 40.7 km/h / 11.3 m/s	N/A	Overcast
1:52 PM	34.0 °F / 1.1 °C	25.0 °F / -3.9 °C	70%	29.48 in / 998.1 hPa	10.0 miles / 16.1 kilometers	NW	23.0 mph / 37.0 km/h / 10.3 m/s	36.8 mph / 59.3 km/h / 16.5 m/s	N/A	Overcast
2:04 PM	33.8 °F / 1.0 °C	24.8 °F / -4.0 °C	70%	29.49 in / 998.5 hPa	10.0 miles / 16.1 kilometers	NW	19.6 mph / 31.5 km/h / 8.7 m/s	32.2 mph / 51.9 km/h / 14.4 m/s	N/A	Overcast
2:52 PM	34.0 °F / 1.1 °C	25.0 °F / -3.9 °C	70%	29.52 in / 999.4 hPa	10.0 miles / 16.1 kilometers	NW	17.3 mph / 27.8 km/h / 7.7 m/s	27.6 mph / 44.4 km/h / 12.3 m/s	N/A	Overcast
3:05 PM	33.8 °F / 1.0 °C	21.2 °F / -6.0 °C	60%	29.52 in / 999.5 hPa	10.0 miles / 16.1 kilometers	NW	23.0 mph / 37.0 km/h / 10.3 m/s	39.1 mph / 63.0 km/h / 17.5 m/s	N/A	Overcast
3:52 PM	33.1 °F / 0.6 °C	18.0 °F / -7.8 °C	54%	29.58 in / 1001.5 hPa	10.0 miles / 16.1 kilometers	WNW	24.2 mph / 38.9 km/h / 10.8 m/s	35.7 mph / 57.4 km/h / 15.9 m/s	N/A	Mostly Cloudy
4:52 PM	30.0 °F / -1.1 °C	15.1 °F / -9.4 °C	54%	29.64 in / 1003.7 hPa	10.0 miles / 16.1 kilometers	WNW	19.6 mph / 31.5 km/h / 8.7 m/s	29.9 mph / 48.2 km/h / 13.4 m/s	N/A	Mostly Cloudy
5:52 PM	26.1 °F / -3.3 °C	10.9 °F / -11.7 °C	53%	29.72 in / 1006.2 hPa	10.0 miles / 16.1 kilometers	NW	23.0 mph / 37.0 km/h / 10.3 m/s	38.0 mph / 61.1 km/h / 17.0 m/s	N/A	Mostly Cloudy
6:52 PM	24.1 °F / -4.4 °C	14.0 °F / -10.0 °C	65%	29.76 in / 1007.8 hPa	7.0 miles / 11.3 kilometers	NW	13.8 mph / 22.2 km/h / 6.2 m/s	20.7 mph / 33.3 km/h / 9.3 m/s	0.00 in / 0.0 cm	Snow Light Snow
7:12 PM	24.8 °F / -4.0 °C	12.2 °F / -11.0 °C	59%	29.77 in / 1008.0 hPa	10.0 miles / 16.1 kilometers	NW	18.4 mph / 29.6 km/h / 8.2 m/s	31.1 mph / 50.0 km/h / 13.9 m/s	0.00 in / 0.0 cm	Mostly Cloudy
7:52 PM	24.1 °F / -4.4 °C	10.0 °F / -12.2 °C	55%	29.79 in / 1008.6 hPa	10.0 miles / 16.1 kilometers	NW	24.2 mph / 38.9 km/h / 10.8 m/s	28.8 mph / 46.3 km/h / 12.9 m/s	0.00 in / 0.0 cm	Scattered Clouds
8:52 PM	24.1 °F / -4.4 °C	10.0 °F / -12.2 °C	55%	29.83 in / 1010.1 hPa	10.0 miles / 16.1 kilometers	WNW	17.3 mph / 27.8 km/h / 7.7 m/s	23.0 mph / 37.0 km/h / 10.3 m/s	N/A	Partly Cloudy
9:52 PM	23.0 °F / -5.0 °C	8.1 °F / -13.3 °C	53%	29.86 in / 1011.1 hPa	10.0 miles / 16.1 kilometers	NNW	24.2 mph / 38.9 km/h / 10.8 m/s	34.5 mph / 55.6 km/h / 15.4 m/s	N/A	Partly Cloudy
10:52 PM	21.9 °F / -5.6 °C	7.0 °F / -13.9 °C	53%	29.89 in / 1012.1 hPa	10.0 miles / 16.1 kilometers	NW	16.1 mph / 25.9 km/h / 7.2 m/s	23.0 mph / 37.0 km/h / 10.3 m/s	N/A	Clear
11:52 PM	21.0 °F / -6.1 °C	7.0 °F / -13.9 °C	55%	29.90 in / 1012.5 hPa	10.0 miles / 16.1 kilometers	NW	12.7 mph / 20.4 km/h / 5.7 m/s	-	N/A	Clear



# **EXHIBIT F**

WunderPhoto Slide Show Stop

« Previous Image      **Icy Trees ONE QUARTER INCH OF ICE - Fox News DC (still)**      Next Image »



Email this photo to a friend

by cameraperson

« Previous Image      February 13, 2007 at washington, DC      Next Image »

How did this image get to you? This screenshot came from my news camera, then was edited into a story, then sent via microwave transmission to Fox 5 in DC, then encoded to digital web format video, then uploaded to the web- where I then grabbed a frame at home and sent it out to you. You can go see it at [www.myfoxdc.com](http://www.myfoxdc.com) or more specifically at "" <http://www.myfoxdc.com/myfox/pages/Home/Detail?contentId=2373914&version=2&locale=EN-US&layoutCode=VSTY&pageId=1.1.1> "" just copy the stuff between the quotes (not the quotes) and past into your browser to see my story this evening. As a side note, the 65 foot mast on the top of the microwave van froze in the extended position making it impossible to drive for over an hour!

# EXHIBIT G



## District Department of Transportation

### DDOT HOME

About DDOT  
How to Reach Us  
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News Room  
Scorecard  
Site Map

### SERVICES

### INFORMATION

### ONLINE SERVICE REQUESTS

## Snow Alert for Immediate Release

February 14, 2007

## DDOT and DPW Continue to Plow and Treat Roadways Today and Tonight Across the District

### *Motorists Urged to Use Extreme Caution When Driving; Residents and Businesses Reminded to Clear Sidewalks*

(Washington, DC) Emeka Moneme, acting Director of the District Department of Transportation (DDOT), this morning briefed reporters on the progress of the DDOT and Department of Public Works' (DPW) snow operations.

Crews continue in a full deployment mode and will be plowing and treating major roadways, secondary roads and residential streets throughout the day. Crews will continue to work throughout the remainder of the night to treat roadways in anticipation of nighttime freezing temperatures. Full deployment includes approximately 150 trucks and 450 total personnel working on storm operations.

Moneme reminded drivers to take their time today and tomorrow. "As we've been saying for several days, drivers should take their time and use extreme caution tonight and tomorrow," said Moneme. "We will do our part in treating roadways — and motorists need to do their part in driving carefully or taking public transportation instead of driving."


City officials also reminded motorists to treat plow vehicles as emergency vehicles. Stay behind plow vehicles at least 25 feet and do not attempt to pass the vehicles.

Moneme also reminded residents and business owners of their responsibility to clear sidewalks. "We'll take care of the roadways — while residents and businesses take care of the sidewalks," said Moneme. "And please reach out to your elderly neighbors who may need help today and tonight."

For a summary of sidewalk rules visit DDOT's snow page.

DDOT and DPW remind commuters and residents to:

- Use Metro when possible;
- Drivers should use extreme caution and maintain safe speeds and distances from other vehicles;
- Remember even a 4-wheel drive SUV does not perform well in ice and additional safety measures should be followed;
- Be aware of road conditions, particularly black ice which can be deceptive in its appearance giving the driver a false sense of security on the road; and
- Remember to keep a safe distance from emergency and snow vehicles during any major winter weather event.



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Officials

Washington, DC 20004

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# EXHIBIT H



## MY TRAVEL PLANS


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## Definition of Colors

- ☐ Active or future trips
- ☐ Past trips
- ☐ Trips within 10 days of deletion

## Merck Travel Links

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[my eTrip](#)  
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--> **Richard C Billups** --> **Itinerary**[Email Itinerary](#)[Assign Itinerary](#)AMERICAN EXPRESS<sup>®</sup> BUSINESS TRAVELTravel Arrangements for **Richard C Billups**

Generated: 02/08/2007

**Record Locator** NWS23J  
**Trip ID** 31445778847  
 MERCK/AMERICAN EXPRESS  
 SUITE 106A  
 7535 WINDSOR DRIVE  
 ALLENTOWN PA

**Agent ID: 06**

## Itinerary Details

\*\*\* Itinerary Only \*\*\*

## Travel Details

Tuesday February 13, 2007

## Rail Information

Carrier	Amtrak
Train	00085
Origin	METROPARK NJ
Destination	WASHINGTON DC
Departing	3:36 PM
Arriving	6:30 PM

Amtrak Locator 074330  
 YOUR AMTRAK CONFIRMATION NUMBER IS 074330.

## Hotel Information

Hotel	EMBASSY SUITES
Hotel Address	EMBASSY SUITES ALEXANDRIA OLD 1900 DIAGONAL ROAD ALEXANDRIA VA 22314
Confirmation Number	83155879
Check in Date	02/13/2007
Check out Date	02/14/2007

Hotel Rate USD per night  
 Late Arrival Guarantee - Credit Card  
 249794461

Frequent Guest  
 CANCELLATION REQUIRED  
 HOTEL GUARANTEED LATE ARRIVAL TO AMERICAN EXPRESS CARD  
 CANCEL 24 HRS PRIOR TO ARRIVAL LOCAL HOTEL TIME  
 TO AVOID POSSIBLE NO-SHOW CHARGES  
 \*\*CHANGES TO DEPARTURE DATE AFTER CHECK IN\*\*  
 \*\*MAY INCUR AN EARLY CHECK OUT FEE\*\*  
 Phone Number 703 684-5900  
 Fax Number 703 684-1403

## Travel Details

Wednesday February 14, 2007



**Rail Information**

---

Carrier	Amtrak
Train	02168
Origin	WASHINGTON DC
Destination	METROPARK NJ
Departing	2:00 PM
Arriving	4:15 PM

Amtrak Locator 074330  
YOUR AMTRAK CONFIRMATION NUMBER IS 074330.

**Additional Messages**

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**\*\*PLEASE REVIEW THE INVOICE/ITINERARY FOR ACCURACY.  
IF THERE ARE ANY ERRORS IN YOUR TRAVEL ITINERARY  
PLEASE CONTACT AMEX RESERVATIONS WITHIN 24 HOURS  
OF RECEIPT OF THIS E-MAIL TO AVOID ADDITIONAL COST.\*\***  
\*\*\*\*\*

AMERICAN EXPRESS BUSINESS TRAVEL CENTER  
SERVICE HOURS OF OPERATION 8AM-7PM EST  
TOLL FREE 1-800-553-8614  
EMERGENCY ASSISTANCE AFTER HOURS PLEASE USE THE SAME NUMBER  
1-800-553-8614 IDENTIFY YOURSELF AS A 77F CLIENT  
FOR COLLECT CALLS OUTSIDE THE US 610-366-6050  
\*\*\*\*\*

YOU MUST HAVE IN YOUR POSSESSION PRIOR  
TO THE MAIN SECURITY CHECK POINT A GOVERNMENT  
ISSUED ID AND A CURRENT DAY BOARDING PASS  
\*\*\*\*\*

ON JANUARY 23 2007 AIR TRAVELERS TO/FROM CANADA  
MEXICO AND THE CARIBBEAN WILL FOR THE FIRST TIME  
NEED A PASSPORT TO CROSS THE U.S. BORDER  
\*\*\*\*\*

NATIONAL AND ENTERPRISE RATES INCLUDE INSURANCE  
IF YOUR CAR RENTAL IS IN NORTH AMERICA. IN OTHER  
COUNTRY LOCATIONS INSURANCE COVERAGE COULD BE LIMITED.  
IF YOUR CAR RENTAL IS NOT THROUGH ONE OF THESE  
PREFERRED VENDORS IT IS RECOMMENDED THAT YOU  
ACCEPT THE ADDITIONAL INSURANCES OFFERED.

For Itinerary changes, please contact your travel office via telephone.

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# EXHIBIT I



## MY TRAVEL PLANS


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## Definition of Colors

- ☐ Active or future trips
- ☐ Past trips
- ☐ Trips within 10 days of deletion

## Merck Travel Links

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[Merck Security](#)

--> **Richard C Billups** --> **Itinerary**[Email Itinerary](#)[Assign Itinerary](#)

AMERICAN EXPRESS BUSINESS TRAVEL

Travel Arrangements for **Richard C Billups**

Generated: 02/12/2007

**Record Locator** Q1GVZO  
**Trip ID** 31574588148  
 MERCK/AMERICAN EXPRESS  
 SUITE 106A  
 7535 WINDSOR DRIVE  
 ALLENTOWN PA

**Agent ID: M9**

## Itinerary Details

\*\*\* Itinerary Only \*\*\*

## Travel Details

Tuesday February 20, 2007

## Rail Information

Carrier	Amtrak
Train	00085
Origin	METROPARK NJ
Destination	WASHINGTON DC
Departing	3:36 PM
Arriving	6:30 PM

Amtrak Locator 0B8BD7  
 \*\* AMTRAK CONFIRMATION 0B8BD7...ROUND TRIP FARE OF \$308.00 \*\*  
 \*\* PLEASE KEEP BOARDING STUB FOR TICKET PICKED UP AT TRAIN STATION.  
 AMTRAK NOW CHARGES \$20.00 FOR INVOICE COPIES \*\*

## Hotel Information

Hotel	EMBASSY SUITES
Hotel Address	EMBASSY SUITES ALEXANDRIA OLD 1900 DIAGONAL ROAD ALEXANDRIA VA 22314
Confirmation Number	85863563
Check in Date	02/20/2007
Check out Date	02/21/2007
Hotel Rate	USD per night
Special Info	Late Arrival Guarantee - Credit Card
Frequent Guest	ZD379720297 NSRM PLEASE 249794461
CANCELLATION REQUIRED	
** YOU MUST CANCEL 24 HOURS PRIOR TO ARRIVAL TO AVOIDCHARGES **	
Phone Number	703 684-5900
Fax Number	703 684-1403

## Travel Details

Wednesday February 21, 2007

**Rail Information**

---

Carrier	Amtrak
Train	02168
Origin	WASHINGTON DC
Destination	METROPARK NJ
Departing	2:00 PM
Arriving	4:15 PM

Amtrak Locator	0B8BD7
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**Additional Messages**

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**\*\*PLEASE REVIEW THE INVOICE/ITINERARY FOR ACCURACY.  
IF THERE ARE ANY ERRORS IN YOUR TRAVEL ITINERARY  
PLEASE CONTACT AMEX RESERVATIONS WITHIN 24 HOURS  
OF RECEIPT OF THIS E-MAIL TO AVOID ADDITIONAL COST.\*\***  
\*\*\*\*\*

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SERVICE HOURS OF OPERATION 8AM-7PM EST  
TOLL FREE 1-800-553-8614  
EMERGENCY ASSISTANCE AFTER HOURS PLEASE USE THE SAME NUMBER  
1-800-553-8614 IDENTIFY YOURSELF AS A 77F CLIENT  
FOR COLLECT CALLS OUTSIDE THE US 610-366-6050  
\*\*\*\*\*

YOU MUST HAVE IN YOUR POSSESSION PRIOR  
TO THE MAIN SECURITY CHECK POINT A GOVERNMENT  
ISSUED ID AND A CURRENT DAY BOARDING PASS  
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NATIONAL AND ENTERPRISE RATES INCLUDE INSURANCE  
IF YOUR CAR RENTAL IS IN NORTH AMERICA. IN OTHER  
COUNTRY LOCATIONS INSURANCE COVERAGE COULD BE LIMITED.  
IF YOUR CAR RENTAL IS NOT THROUGH ONE OF THESE  
PREFERRED VENDORS IT IS RECOMMENDED THAT YOU  
ACCEPT THE ADDITIONAL INSURANCES OFFERED.

**\*\* AMTRAK CONFIRMATION 0B8BD7...ROUND TRIP FARE OF \$308.00 \*\***

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# EXHIBIT J

<b>Interview Summary</b>	<b>Application No.</b> 10/502,380	<b>Applicant(s)</b> BERTHELETTE ET AL.	
	<b>Examiner</b> Kamal A. Saeed	<b>Art Unit</b> 1626	

All participants (applicant, applicant's representative, PTO personnel):

(1) Kamal A. Saeed. (3)\_\_\_\_\_

(2) Richard C. Billups. (4)\_\_\_\_\_

Date of Interview: 21 February 2007.

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: 30-32.


Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicants will present the proposed amendment and the subject of TD and the election of speies was discussed.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

  
 KAMAL A. SAEED, PH.D.  
 PRIMARY EXAMINER

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.